

REGULATION

Appointing Authority Letter Reference: CS-6940	Effective Date: March 18, 2001	Index Reference: Establishment, Reclassification, Preauthorized, Effective Date	Regulation Number: 4.04
Issuing Bureau: Human Resource Services	Rule Reference: Rules 1-3 (Regulations) 4-1 (Position Establishment and Classification) 4-2 (Position Classification Review)		Replaces: Reg. 4.04 (CS-6897, April 25, 1999)
Subject: EFFECTIVE DATES FOR CLASSIFICATION ACTIONS			

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1. **PURPOSE**

This regulation establishes the standards and procedures for determining an effective date for all classification actions.

2. **CIVIL SERVICE COMMISSION RULE REFERENCE**

***Rule 1-3 Regulations** — The state personnel director is authorized to issue regulations that the director deems to be necessary or useful. A regulation issued by the state personnel director is binding on the department of civil service, unless the commission finds that the regulation violates a rule. The state personnel*

director shall make all regulations available to employees through their personnel offices and the internet.

Rule 4-1 Position Establishment and Classification

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4-1.5 Effective Date of Establishment — *Positions are established and classified on a current basis.*

Rule 4-2 Position Classification Review

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- (c) ***Effective date of change.*** *A change in the classification of a position based on a review under this rule is on a current basis, except as otherwise approved by the state personnel director.*

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3. STANDARDS

A. Positions in Classifications that Require Civil Service Review

1. The effective date of an establishment or reclassification action that is approved by the Department of Civil Service, for a position in a classification that is not preauthorized, is the beginning date of the pay period in which a fully documented position action request is received by the Department of Civil Service.
2. A fully documented position action request, submitted by the appointing authority, consists of an up-to-date, completed Position Description form (CS-214) and a properly prepared Position Action Request form (CS-129). If the Position Action Request and the Position Description forms are submitted at different times, the date of the submission for the last form is used to assign the effective date of the requested action.
3. The effective date assigned to agency-specific senior standards, supervisory complex work standards, and other processing standards developed by the appointing authority and approved by the Department of Civil Service is the beginning date of the pay period

within which the appointing authority submits the proposed documented standard to the Department of Civil Service.

4. The appointing authority must supply all additional information, as requested, to render a classification decision, such as an updated organizational chart, evaluation system rating forms, senior standards, etc.
5. For an appointing authority initiated request, failure by the appointing authority to respond to a request for additional information within 20 workdays (30 workdays for positions requiring agency evaluation on a classification rating system) may result in the issuance of a "No Action" on the initial request and classification review. New Position Action Request and Position Description forms are required. The effective date of any subsequent action is the beginning date of the pay period in which the resubmitted position action request is received. If there is sufficient documentation to make a classification determination without the provision of the additional requested information, particularly with employee generated review requests; the Department of Civil Service may issue a classification decision without the appointing authority's information.

B. Positions in Preauthorized Classifications

1. The appointing authority must assign as the effective date the beginning date of the pay period in which the preauthorized reclassification is processed, except as provided in standard C. below. This will be subject to Department of Civil Service audit.
2. The appointing authority cannot process a preauthorized reclassification earlier than 26 pay periods after the employee's appointment to the position or last reclassification, whichever occurred last.

C. Retroactive Effective Dates

1. Departmental delays are considered as reasonable justification for retroactive effective dates only when the reclassification is from one level to another level within an entry/intermediate/experienced classification or from an experienced level to a related advanced classification. In such cases, retroactivity may be granted for up to a maximum of 26 pay periods preceding the current effective date.

2. The Department of Civil Service may grant retroactivity of up to a maximum of seven pay periods preceding the current effective date of a position action when reasonable justification is demonstrated for position actions above the advanced level.
3. Special extenuating circumstances may provide a basis for retroactivity beyond the seven pay periods for positions above the advanced level. Special extenuating circumstances, as determined by the Department of Civil Service, may include:
 - a. Any inappropriate action by the agency that precludes the employee from filing a position review request directly with the Department of Civil Service.
 - b. The employee was incapacitated or incapable of filing a request for a position review.
 - c. Other extraordinary circumstances outside the control of the employee.
4. The maximum retroactivity permitted is 26 pay periods preceding the current effective date, even with a showing of special extenuating circumstances.
5. A reclassification may be retroactive according to these standards only if the classification plan and the duties and responsibilities of the position are the same on both the date received and the retroactive date.

4. **PROCEDURES**

A. **Positions in Classifications that Require Civil Service Review**

<u>Responsibility</u>	<u>Action</u>
Appointing Authority	1. Submits a Position Action Request form (CS-129) and Position Description form (CS-214) to the Department of Civil Service.
Department of Civil Service	2. Reviews the request and documents decision.

<u>Responsibility</u>	<u>Action</u>
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3. Enters the necessary approved position information in the Human Resources Management Network (HRMN).

<u>Responsibility</u>	<u>Action</u>
Department of Civil Service	<p>4. Releases the Position Action Request form (CS-129) to the appointing authority.</p> <p>If disapproved, documents the reasons on the Position Action Request form and informs employee of the classification action and appeal rights.</p>
Appointing Authority	<p>5. Receives the completed Position Action Request form and enters the employee information in the HRMN for any occupied position.</p>

B. Positions in Preauthorized Classifications

<u>Responsibility</u>	<u>Action</u>
Agency Management	<p>1. Submits a Position Description form and a request to the appointing authority for a classification review.</p> <p>2. Certifies to the appointing authority that the employee is satisfactorily performing the higher-level duties and meets the classification's requirements.</p>
Appointing Authority	<p>3. Reviews the request and documents the decision.</p> <p>4. Enters the necessary approved employee information in the HRMN.</p>

C. Requests for Retroactive Effective Dates

<u>Responsibility</u>	<u>Action</u>
Appointing Authority	1. For reclassifications at the advanced level or above, submits Position Action Request and Position Description forms with rationale for a retroactive reclassification effective date. Agencies may independently process actions to recover retroactive effective dates on positions in preauthorized classifications (see regulation 4.02).
Department of Civil Service	2. Reviews the requested retroactive effective date and documents decision. 3. Enters the necessary approved position information in the HRMN. 4. Releases the Position Action Request form to the appointing authority. If disapproved, documents the reasons on the Position Action Request form and informs employee of the classification action and appeal rights.
Appointing Authority	5. Receives the completed Position Action Request form and enters the employee information in the HRMN.

CONTACT

Questions regarding this regulation should be directed to the Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909, (517) 373-3048 or 1-800-788-1766, or MDCS-BHRS@state.mi.us.

NOTE: Regulations are issued by the State Personnel Director under authority granted in the State of Michigan *Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.

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